

Pursuant to the advertisement, posting of property, and public hearing on the petition and it appearing that by reason of the following finding of facts:

1. The subject property is zoned R.C.2.
2. The subject 1.53 acres, more or less, is an internal part of a 93 acre farm which includes 6 1/2 acres in vineyards.
3. The requirements of Sections 502.1, 1A01.1-B, and 1A01.2-C of the Baltimore County Zoning Regulations (BCZR) have been met.
4. The granting of the special exception will not be detrimental to and will be supportive of the primary agricultural uses in the vicinity of the subject property.
5. The winery will not be situated on land more appropriately used for primary agricultural uses.
6. The granting of the special exception will not adversely affect the health, safety, and general welfare of the community.

and, therefore,

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 15th day of February, 1984, that the herein Petition for Special Exception for the production and sale (retail & wholesale) of wine in an R.C.2 Zone, in accordance with the site plan prepared by Gerhold, Cross & Etzel, dated November 9, 1983, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The wine making, storage, retail sales, and wholesale distribution shall be contained within the 1.53 acres as specified on the aforementioned site plan.
2. The 1.53 acre tract shall continue to be a part of an operating farm.
3. Retail sales shall be limited to bottles of wine produced on the premises for consumption off the premises, and the hours of operation shall be between 8:00 a.m. and 5:00 p.m., Monday through Friday, and 10:00 a.m. and 6:00 p.m., Saturday and Sunday. No more than 4 tour groups shall be permitted to visit the sales area each month at hours other than those listed above and shall be by appointment only.
4. Compliance with the Health Department requirements.
5. App. val of the aforementioned site plan by the Office of Planning and Zoning.

James M. Davis
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING

DATE February 13, 1984
BY Mary Campbell (Clerk)

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 128, Zoning Advisory Committee Meeting of Dec. 6, 1983
Property Owner: Herbert A. Davis
Location: E/S Wheeler Lane District 8
Water Supply private Sewage Disposal private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 49L-3775, to obtain requirements for such installation/s before work begins.
- () A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other structures pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

2/9 84-194-X

Zoning Item # 128
Page 2

- () Any existing underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled.
- (✓) Soil percolation tests have been conducted.
The results are valid until August 1986.
Revised plans must be submitted prior to approval of the percolation tests.
- (✓) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until August 1986.
If not acceptable and must be retested. This must be accomplished prior to conveyance of property or approval of Building Permit Applications.
- () All roads and parking areas should be surfaced with a dustless, bonding material.
- () No health hazards are anticipated.
- (✓) Others Existing sewage disposal system serving the two residences on site appear to be functioning properly. Existing drilled well already serves the entire facility and is in satisfactory condition. Three compartment sink in winery must be connected to proposed sewage disposal system. Backflow preventer must be used.
Applicant should contact the Northwestern Regional Services to arrange for an inspection of this facility and sampling of the water supply, as noted above.
Existing fuel tank should be leak tested and replaced if necessary. Owner has been apprised of above information.

Jan S. Forrest
Jan S. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1080 (2)



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 16, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 125, 126, 128, 129, and 130. -ZAC- Meeting of December 6, 1983
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

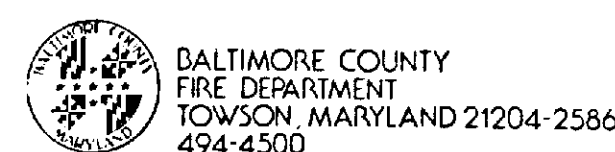
Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 125, 126, 128, 129, and 130.

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineering Assoc. II

MSF/ccm



PAUL H. RENCKE
CHIEF

February 14, 1984

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Herbert A. Davis

Location: E/S Wheeler Lane 3800' S. from c/l Belfast Road
Item No.: 128 Zoning Agenda: Meeting of 12/6/83

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road, in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Roadway shall support 50,000 lb. fire apparatus.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

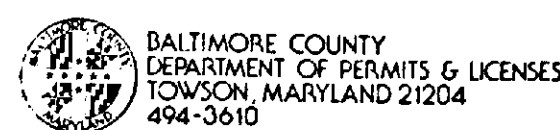
() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *George M. Leggett*
Planning & Zoning Division
Special Inspection Division
Fire Prevention Bureau

/mb

2/9 84-194-X



TED LAUSKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 128 Zoning Advisory Committee Meeting are as follows:

Property Owner: Herbert A. Davis
Location: E/S Wheeler Lane 3800' S. from c/l Belfast Road
Existing Zoning: R.C.2
Proposed Zoning: Special Exception for production and sale (retail & wholesale) of wine in an R.C. 2 zone.

Acres: 1.53
District: 8th.

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 11-82 State of Maryland Code for the Handicapped and Aged, and other applicable Codes.
- X B. A building/structure permit shall be required before beginning construction.
- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistance construction, no openings permitted within 3'0" of lot line. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 407 and Table 402, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s
- X G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- X I. Comments - A Registered in Maryland Structural Engineer may be required to certify that the floors will support the loads imposed by the new use.

NOTE: These comments reflect only the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,
Charles E. Burdham
Charles E. Burdham, Chief
Plans Review

CEB:es

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
Zoning Commissioner
TO: _____ Date: January 19, 1984
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
Herbert A. Davis
SUBJECT: 84-194-X

This office is not opposed to the granting of the subject request.

NEG/JGH/sf

Mr. Herbert A. Davis
Wheeler Lane
Sparks, Maryland 21152

NOTICE OF HEARING
Re: Petition for Special Exception
E/S Wheeler Lane, 3,800' S of Belfast Rd.
Herbert A. Davis - Petitioner
Case No. 84-194-X

TIME: 10:30 A.M.

DATE: Tuesday, February 7, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

George M. Leggett
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND No. 122943

OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 11/22/83 ACCOUNT: R01-615-000

AMOUNT: 101.00

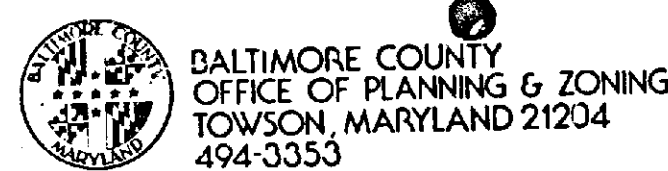
RECEIVED BY: *Herbert Davis*

FOR: *File for Item # 128*

8 048*****1000010 5235A

VALIDATION OR SIGNATURE OF CASHIER

OCT 25 1985



ARNOLD JABLON
ZONING COMMISSIONER

February 1, 1984

Mr. Herbert A. Davis
Wheeler Lane
Sparks, Maryland 21152

Re: Petition for Special Exception
E/S Wheeler Lane, 3,800' S of
Belmont Road
Herbert A. Davis, Petitioner
Case No. 84-194-X

Dear Mr. Davis:

This is to advise you that \$41.72 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 126833

ARNOLD JABLON
Commissioner

DATE 2/7/84 ACCOUNT R-01-615-000

AMOUNT \$41.72

RECEIVED FROM Herbert A. Davis
FOR Advertising & Posting Case #84-194-X

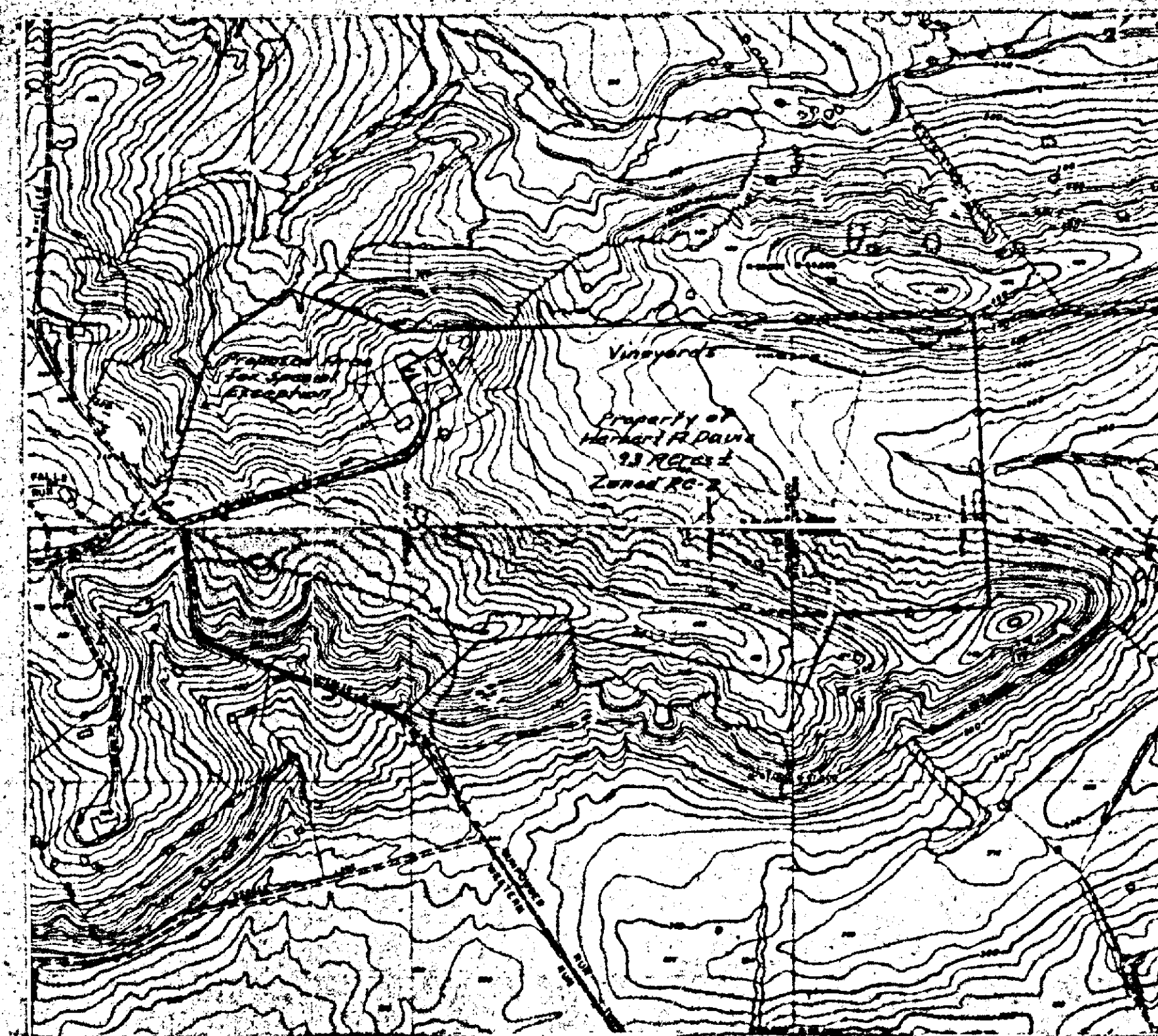
C 035*****4722th 00224

VALIDATION OR SIGNATURE OF CASHIER

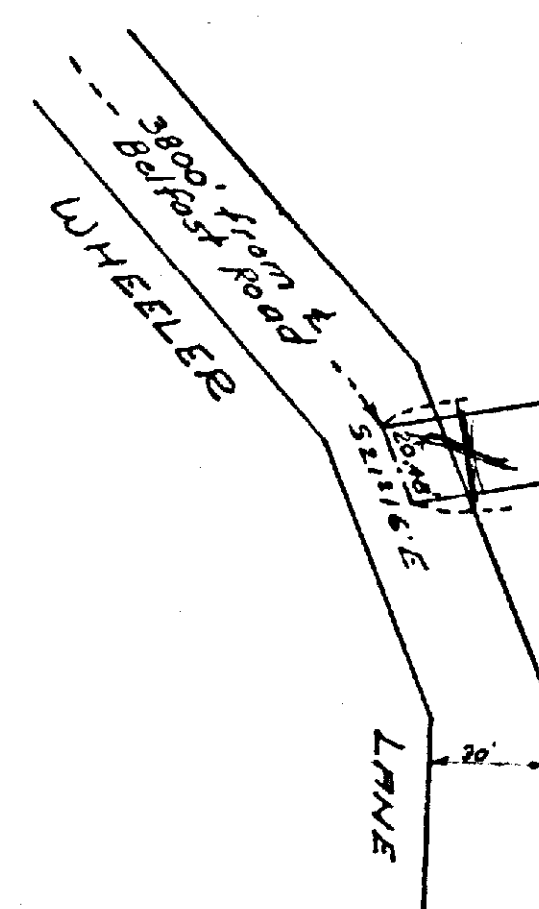
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

84-194-X

District 8th Date of Posting January 26, 1984
Posted for: Special Exception
Petitioner: Herbert A. Davis
Location of property: E/S of Wheeler Lane, 3,800' S of Belmont Road
Location of Signs: East side of Wheeler Lane at entrance to subject property
Remarks: _____
Posted by: [Signature] Date of return: January 27, 1984
Number of Signs: 1

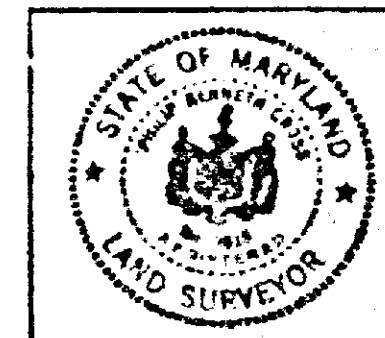
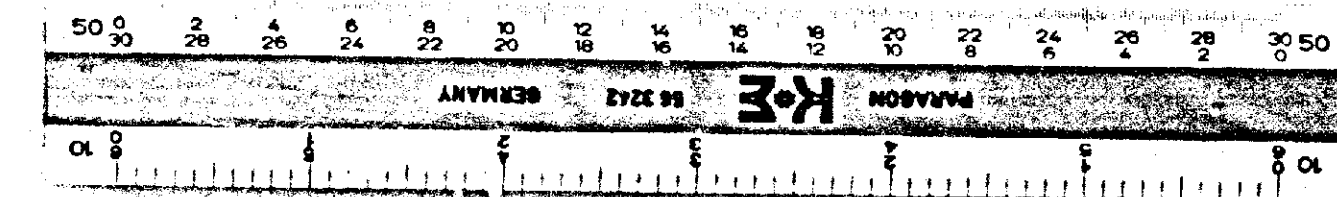


Scale: 1"=500'



Existing Zoning RC-2
Existing Use Farm
Area in whole tract 43 Acres
Area in Special Exception 1.53 Acres
Employees - 1

Plat to accompany Petition for Special Exception
for Production and Retail & Wholesale of wine
in an RC-2 Zone.



Scale 1"=50' Nov. 9, 1983
GERMOLD, CROSS & ETZEL
Professional Land Surveyors
412 Delaware Ave.
Towson, Md. 21204

**DUPLICATE
CERTIFICATE OF PUBLICATION**

TOWSON, MD., January 19, 1984
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on each of one time before the 7th day of February, 1984, the 6th publication appearing on the 19th day of January, 1984.

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement, \$18.00

CERTIFICATE OF PUBLICATION

Towson, Md. 2/4 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for consecutive weeks, the first publication appearing on the 19th day of Jan 1984.

The TOWSON TIMES
[Signature]
Cost of Advertisement: \$18.72